APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,058	01/08/2001	John E. Brezak	MSI-679US	6566

22801   7590   01/27/2005

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER
TRAN, ELLEN C

ART UNIT	PAPER NUMBER
2134	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/757,058	BREZAK ET AL.
	Examiner	Art Unit	
	Ellen C Tran	2134	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 October 2004</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 18-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Detailed Action

1.   This action is responsive to communication: amendment filed on

7 October 2004, the original application was filed on 8 January 2001.

2.   Due to amendment claims 1-15 and 18-35 are currently pending in this

application. Claims 1, 8, 13, 18, 23, 24, 29, 32, and 34 are independent claims. Claims

16 and 17 have been canceled. Claims 18, 19, and 29 have been amended. The

amendment to the claims is accepted.

3.   The amendment filed 7 October 2004 to the specification is objected to under 35

U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states

that no amendment shall introduce new matter into the disclosure of the invention. The

added material which is not supported by the original disclosure is as follows: The new

abstract is not supported by the original disclosure. It appears that an abstract related

to different invention was placed into the application because the original application

relates to a technology for managing credentials, whereas the new abstract is directed

towards a technology for inserting and detecting watermarks in signals, such as music

clip. Furthermore the modification to the text on page 15 seems to refer to a different

application because the text on 15 of the original application contains a formula and is

the middle of the detailed description ... whereas the text to be added is usually placed

in a heading under "RELATED APPLICATION DATA" usually placed on the first page of

the specification. In addition although the assignee is the same "Microsoft Corporation"

the inventors are different and no reference was made in the original application to the

earlier application with a filing date of 22 May 1999, in addition other than assignee

there is not a relation between the two inventions.

Applicant is required to cancel the new matter in the reply to this Office Action.

Response to Arguments

4.   Applicant's arguments filed on 7 October 2004 have been fully considered but

they are not persuasive.

In response to applicant's argument beginning on page 17, line 22 "the Applicant

submits that the Office has not identified with particularity, where each feature and

element of this claim is found in the cited passage of the reference ... each feature and

element of this claim," such as "High-Level Credential". The Office disagrees with

argument although the term "High-Level Credential" is used this can have the same

meaning as "password" or user name. Likewise, as the reference indicates smart rules

can be used to set further limits on the distribution of credentials.

Also in response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., X.509) are not recited in the rejected claim(s), until claim 3, which is not

incorporated in the independent claim or the other dependent claims. Although the

claims are interpreted in light of the specification, limitations from the specification are

not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed.

Cir. 1993). Likewise claim 3, X.509 certificates was rejected under 35 U.S.C. 103 with

the combination of references cited in the Office Action.

In response to applicant's argument beginning on page 20, the Office has not identified with particularity, where each feature and element of this claim is found in the cited reference" such as "Marshalling". The Office disagrees the term "marshaling" has the same meaning as passing or transferring. The Office Action shown this in the cited passage where the results are "transferred to the legacy application".

In response to applicants' arguments beginning on page 21, with respect to independent claims 8 and 13, While the Office's assertion (that this claim incorporates substantially similar subject matter as claim 1) may or may not be true, Applicant asserts that this independent claim is patentable different that claim 1; and therefore, it deserves to be examined on its own". The Office does not agree these claims are substantially similar, if the applicant argument is that they are patentable different please indicate how the claims are different.

In response to applicants' arguments beginning on page 20, with respect to dependent claims 2-7, 9-12, and 14-15, "these dependent claims is allowable for the same reasons that its base claim is allowable". The Office disagrees the independent claim is not allowable therefore these claims are not allowable.

In response to applicant's argument beginning on page 23, with respect to claim 18 "This distinction between high- and low-level credentials is discussed through-out the Application ... Applicant submits the Olden does not do this. Instead, with Olden authorization to access a first set of functionality based upon low-level credential (username/password pair) ... Olden ONLY handles low-level credentials". The Office disagrees with argument as stated previously. A. The term high- or low-level

credentials can have the same meaning as a current password verse and old password, or a user passing successful authentication. In addition as stated previously while the claims are interpreted in light of the specification, limitations from the specification are not placed into the claims. If the applicant wants to distinguish high-level credentials as X.509 this should be included in the independent claim.

In response to applicants' arguments beginning on page 27, with respect to independent claims 23 and 24, While the Office's assertion (that this claim incorporates substantially similar subject matter as claim 1) may or may not be true, Applicant asserts that this independent claim is patentable different that claim 1; and therefore, it deserves to be examined on its own". The Office does not agree these claims are substantially similar, if the applicant argument is that they are patentable different please indicate how the claims are different.

In response to applicants' arguments beginning on page 27, with respect to dependent claims 19-22 and 25-28, "these dependent claims is allowable for the same reasons that its base claim is allowable". The Office disagrees the independent claim is not allowable therefore these claims are not allowable.

In response to applicant's argument beginning on page 29, with respect to claim 29, the applicant proposes the same arguments that were previously presented concerning "High-Level Credential" and "Marshalling". The Office disagrees with these arguments as previously indicated. The Office disagrees with argument although the term "High-Level Credential" is used this can have the same meaning as "password" or user name. Likewise, as the reference indicates smart rules can be used to set further

limits on the distribution of credentials. It is noted that the features upon which applicant

relies (i.e., X.509) are not recited in the rejected claim(s), until claim 3, which is not

incorporated in the independent claim or the other dependent claims. The Office

disagrees the term "marshaling" has the same meaning as passing or transferring.

In response to applicants' arguments beginning on page 32, with respect to

dependent claims 30 and 31, "these dependent claims is allowable for the same

reasons that its base claim is allowable". The Office disagrees the independent claim is

not allowable therefore these claims are not allowable.

In response to applicant's arguments beginning on page 33, with respect to claim

32, "In particular, the Office has not identified, nor can Applicant find, where Olden

discloses "receiving a CredUI-promptfor-credentials call having a set of parameters

comprising a TargetName, Context, AuthFlags and Flags". The Office disagrees the

reference shows many examples of these steps, for exampled see col. 9, lines 27-51

"During a request" same meaning as "CredUI-promptfor-credentials"

"different application functions 84 to which the customer has access rights, and

returns the correct interface which support the function set" has the same meaning as

"set of parameters"

as well as see col. 17, line 65 through col. 18, line 59 "Smart rules are filters that

govern user access to applications. When a smart rule is defined for an application in

order to determine authorization, the security and access management system 10

examines a property for a specific user, and grants or denies access to an application

resource based on the value found" has the same meaning as "TargetName, Context,

AuthFlags, and Flags"

In response to applicant's argument on page 34, with respect to claim 32,

"Furthermore, Applicant submits that Olden does not disclose the all of the steps of this

method (parsing a call; obtaining a credential; associating; and persisting) generally or

specifically". The Office disagrees this is shown throughout the reference see col. 17,

line 65 through 18, line 59 above. Note database processing performs the tasks

Applicant is claiming, i.e. parsing, obtaining, associating, persisting ect.

In response to applicant's argument on page 34, with respect to dependent claim

33, "this dependent claims is allowable for the same reasons that its base claim is

allowable". The Office disagrees the independent claim is not allowable therefore these

claims are not allowable.

In response to applicant's argument on page 35, with respect to claim 34 "In

particular, the Office has not identified, nor can Applicant find, where Olden discloses

"receiving a CredUI-promptfor-credentials call having a set of parameters comprising a

TargetName, Context, AuthFlags and Flags". The Office disagrees the reference shows

many examples of these steps, for exampled see col. 9, lines 27-51

"During a request" same meaning as "CredUI-promptfor-credentials"

"different application functions 84 to which the customer has access rights, and

returns the correct interface which support the function set" has the same meaning as

"set of parameters"

see col. 17, line 65 through col. 18, lines 59 "Smart rules are filters that govern

user access to applications. When a smart rule is defined for an application in order to

determine authorization, the security and access management system 10 examines a

property for a specific user, and grants or denies access to an application resource

based on the value found" has the same meaning as "TargetName, Context, AuthFlags,

and Flags"

In response to applicant's argument on page 36, with respect to dependent claim

35, "this dependent claims is allowable for the same reasons that its base claim is

allowable". The Office disagrees the independent claim is not allowable therefore these

claims are not allowable.

In response to applicants' argument on page 37, with respect to claims 3, 9, and

25, "These claims ultimately depend upon independent claims 1, 8, and/or 24. As

discussed above, these claims are allowable". The Office disagrees the independent

claims are not allowable; nor are the dependent claims.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language

6.   **Claims 1-2, 4-8, 10-24, and 26-35** are rejected under 35 U.S.C. 102(e) as being

anticipated by Olden U.S. Patent No. 6,460,141 (hereinafter '141).

As to independent claim 1, **"A method for accommodating a legacy**

application, the method comprising: obtaining a request for a high-level

credential from a legacy application; marshalling the requested credential;

returning the marshaled credential to the application" is taught in '141 col. 25,

lines 29-39.

As to dependent claim 2, **"further comprising, after the obtaining, seeking**

the requested credential in a database of credentials" is shown in '141 col. 25,

lines 29-35.

As to dependent claim 4 **"wherein the marshaled credentials appear to be a**

conventional username/password pair to the legacy application" is disclosed in

'141 col. 25, lines 29-35.   ⌐

As to dependent claim 5, **"wherein marshalling comprises: obtaining the**

requested high-level credential; pickling the requested high-level credential to

generate a low-level credential that represents the requested high-level credential

while appearing to be a conventional username/password pair to the legacy

application" is taught in '141 col. 25, lines 29-39.

As to dependent claim 6, **"A method as recited in claim 1, wherein the**

legacy application never has access to the high-level credential" is shown in '141

col. 24, lines 25-50.

As to dependent claim 7, this claim is directed to a computer-readable medium

of the method of claim 1 and is rejected along the same rationale.

As to independent claim 8, this claim incorporates substantially similar subject matter

as claim 1 and is rejected along the same rationale.

As to dependent claims 10 and 11 these claims incorporate substantially

similar subject matter as claims 4 and 6; therefore they are rejected along the same

rationale.

As to dependent claim 12, this claim is directed to a computer-readable

medium of the method of claim 8 and is rejected along the same rationale.

As to independent claim 13, this claim incorporates substantially similar subject

matter as claim 1 and is rejected along the same rationale.

As to dependent claim 14, "further comprising repeating the obtaining,

locating, and returning for a different network that is authenticated using a

different credential" is taught in '141 col. 23, line 55-67 and col. 25 lines 5-20.

As to dependent claim 15, this claim is directed to a computer-readable

medium of the method of claim 12 and is rejected along the same rationale.

As to independent claim 18, "A credential management architecture,

comprising: a trusted computing base (TCB) that has 111 access to persisted

credentials, the TCB being configured to interact with an entrusted computing

layer (UTCL) that accesses the persisted credentials via the TCB; the TCB

comprises: a credential management module configured to receive requests from

the UTCL for a high level credential for a resource" is taught in '141 col. 3, lines 39-61;

"the high level credential being associated with a user; a credential database associated with the user, wherein credentials are persisted within the database; the credential management module being configured to retrieve credentials from the database" is shown in '141 col. 4, lines 27-34.

As to dependent claim 19, "architecture as recited claim wherein credential management module is further configured to marshal a requested high-level credential and return the marshaled credential to the UTCL" is disclosed in '141 col. 4, lines 35-45.

As to dependent claim 20. An architecture as recited in claim 18, wherein the marshaled credentials appear to be a conventional username/password pair to the UTCL" Is taught in 141 col. 7, lines 26-41.

As to dependent claim 21, this claim is directed to a computer-readable medium of the method of claim 18 and is rejected along the same rationale.

As to dependent claim 22, this claim is directed to an operating system on a computer-readable medium of the method of claim 18 and is rejected along the same rationale.

As to independent claim 23, this claim is directed to an apparatus of the method of claim 1 and is rejected along the same rationale.

As to independent claim 24, this claim is directed to the system of the method of claim 8 and is rejected along the same rationale.

As to dependent claims 26, 27, and 28, these claims incorporate substantially

similar subject matter as claims 4, 5, and 6; they are rejected along the same rationale.

As to independent claim 29, "**A system for authenticating a user to a**

network, the system comprising: a request obtainer configured to obtain a

request for a high level credential to authenticate the user to access a resource

within the network" is taught in '141 col. 3, lines 39-61;

"**wherein the resource requires an appropriate credential before the user**

may access the resource; a credential retriever configured to retrieve the

appropriate high-level credential from a database of credentials; a credential

marshaller configured to generate a representation of the high-level credential

that is formatted as a low-level credential so that it appears to be a conventional

username/password pair; a credential returner configured to return the marshaled

credential to the resource within the network, so that the resource allows the user

to access such resource" is shown in '141 col. 4, lines 27-34;

"**wherein the obtainer, retriever, marshaller and returner are further**

configured to operate without user interaction" is disclosed in '141 col. 25, lines 39-

41.

As to dependent claim 30, this claim is directed toward an operating system

comprising a system as recited in claim 29 and is rejected along the same rationale.

As to dependent claim 31, A network environment comprising a system as

recited in claim 29.

As to independent claim 32, "An application programming interface (API) method comprising" is taught in '141 col. 3, lines 39-61;

"receiving a CredUI-promptfor-credentials call having a set of parameters comprising a TargetName, Context, AuthFlags, and Flags; parsing the call to retrieve the parameters to determine a specified resource; obtaining a credential; associating the credential with the specified resource; persisting the credential into a database while maintaining the credential's association with the specified resource" is shown in '141 col. 9, line 27 through col. 10, line 36.

As to dependent claim 33, "wherein the set of parameters further comprises an indicator of a data structure containing customized information to display in conjunction with a user interface" is disclosed in '141 col. 10, 32-39.

As to independent claim 34, "An application programming interface (A.PI) method comprising: receiving a CredUI-promptfor-credentials call having a set of parameters comprising a TargetName, UserName, Password, and Flags; parsing the call to retrieve the parameters to determine a requesting application" is taught in '141 col. 9, lines 27-45;

"obtaining a low-level credential from a user, wherein such credential includes a username and a password; returning the low-level credential to the requesting application" is shown in '141 col. 7, lines 26-41.

As to dependent claim 35, "wherein the set of parameters further comprises an indicator of a data structure containing customized information to display in conjunction with a user interface" is disclosed in '141 col. 10, lines 17-39.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 3, 9, and 25**, are rejected under 35 U.S.C. 103(a) as being unpatentable

over '141 as applied to claims 1, 8, 24, in further view of McNabb et al. U.S. Patent No.

6,289,462, (hereinafter '462).

As to independent claim 3, the following is not taught in '141 **"wherein a high-**

level credential is a credential selected from a group composed of X.509

Certificates and bio-metrics" however '462 teaches "The authentication module 9 of

the trusted server system can be configured to request a user to provide a user ID and

a site-definable authentication response (such as a password, a biometric device, a

smart card, or an access token check)" in col. 15, lines 54-57.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify a security and access management method that accommodates

legacy applications taught in '141 to include an authentication means that utilizes

certificates and biometrics. One of ordinary skill in the art would have been motivated to

perform such a modification because one of the most respected evaluation integrity

tools is certificates see '462 (col. 4, lines 6-33) "Trusted operating systems undergo

evaluation of their overall design, verification of the integrity and reliability of their source

code, and systematic, ... ITSEC certification, performed by an independent body

provides ... What is desired therefore is system where these components are fully integrated to provide a secure platform for network services, where users can install the system and immediately begin taking advantage its security features".

As to dependent claims 9 and 25, these claims incorporate substantially similar subject matter as claim 3 and they are rejected along the same rationale.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ellen C Tran whose telephone number is

(571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be

obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
Patent Examiner
Technology Center 2134
18 January 2005

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100